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07-2-12633-9 29374693 NACA 03-17-08

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IN COUNTY CLERK'S OFFICE

A.M. MAR 14 2008 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY DEPUTY**SUPERIOR COURT OF WASHINGTON**
IN AND FOR PIERCE COUNTY COUNTYDOUGLAS TOBIN,

Plaintiff

No. 07-2-12633-9

V.

STATE OF WASHINGTON

Defendant

Notice of Appeal to

Court of Appeals

(RAP 5.2)

[Within 30 days To Trial Court]

I, Douglas Tobin, Plaintiff Pro Se, pursuant to RAP 5.2, seeks
review by the designated appellate Court of the: Division II, at Tacoma, Washington
950 Broadway, Suite 300.

Entered on 15th day of February, 2008.

A copy of the decision is attached to this notice, as (APPENDIX-A)

12th day of March 2008

Date

Signature

Print/Type Name

Institution

Address

City

State

Zip

IDENTIFICATION OF PARTIES AND ADDRESSES

CLERK OF THE PIERCE COUNTY COURT	OFFICE OF WASHINGTON ATTORNEY GENERAL
930 Tacoma Avenue South	Patricia M. McKenna
Tacoma, Washington 98402	P.O. BOX 40126
	7141 Cleanwater Drive SW
	Olympia, Washington 98504

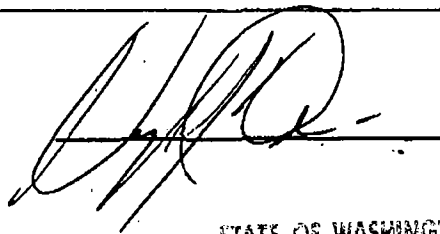
DOUGLAS TOBIN #253648	HONORABLE JUDGE GARY STEINER
Washington correction center	PIERCE COUNTY SUPERIOR COURT
P.O. BOX 900, Cedar A-12	DEPARTMENT 10
Shelton, Washington 98584	930 Tacoma Avenue South
	Tacoma, Washington 98402

NOTICE ISSUE AND SEPARATION OF DEFENDANTS.

Plaintiff is Appealing the Decision of Judge Steiner. Entered on
February 15th 2008, dismissed Half the Parties from the Action.

That the Appeal is for (1) Party; State of Washington. In which
Judge Steiner Dismissed the Action against Only the Defendant State
of Washington.

Further issue, is that the Court Never Notified Plaintiff, or
Plaintiff's Counsel of the Decision of Judge Steiner. Plaintiff had to
learn of the decision by a private individual. Who went to the Court
and paid for a Copy.



STATE OF WASHINGTON, County of Pierce
ss: I, Kevin Stock, Clerk of the above
entitled Court, do hereby certify that this
foregoing instrument is a true and correct
copy of the original now on file in my office.
IN WITNESS WHEREOF, I hereunto set my
hand and the Seal of said Court, this
day of FEB 12 2009, 20
Kevin Stock, Clerk
FEB 12 2009

12024 2/28/2008 00051

FILED
DEPT. 10
IN OPEN COURT
FEB 15 2008
Pierce County Clerk
By [Signature]
Judge D. Gary Steiner
Department 10
Noted For: February 15, 2008

STATE OF WASHINGTON
PIERCE COUNTY SUPERIOR COURT

DOUGLAS TOBIN,

NO. 07-2-12633-9

Plaintiff,

ORDER GRANTING DEFENDANT
STATE OF WASHINGTON'S
MOTION FOR SUMMARY
JUDGMENT

v.

STATE OF WASHINGTON and
PIERCE COUNTY,

Defendants.

THIS MATTER having come before the Court on the motion of defendant State of Washington, for summary judgment dismissal pursuant to Civil Rule 56 and the defendant being represented by its attorneys of record, Robert M. McKenna, Attorney General, and Assistant Attorney General Patricia C. Fetterly and the plaintiff appearing *his attorney Kennerly S Kesslae* ~~by and through~~ and the Court having considered the records and files herein, including:

1. Declaration of Charles Pudwill with Exhibits A-D;
2. Declaration of William Jarmon Jr. with Exhibits A-C;
3. Declaration of Tom L. Moore with Exhibits A-I;

ORDER GRANTING DEFENDANT
STATE OF WASHINGTON'S MOTION
FOR SUMMARY JUDGMENT

CERTIFIED COPY

ATTORNEY GENERAL OF WASHINGTON
Torts Division
7141 Cleanwater Drive SW
PO Box 40126
Olympia, WA 98504-0126
(360) 586-6300

- 1 4. Declaration of Stacey M. Tobin with Exhibit A;
 2 5. Declaration of Patricia C. Fetterly with Exhibit A;

3 and the Court being fully advised in the premises;

4 NOW, THEREFORE, IT IS HEREBY

5 ORDERED AJUDGED AND DECREED that defendant's State of Washington Motion
 6 for Summary Judgment is GRANTED and the plaintiff's complaint is hereby dismissed with
 7 prejudice as to defendant State of Washington.

8 DONE IN OPEN COURT this 15 day of February, 2008.

9
 10
 11 THE HONORABLE D. GARY STEINER

FILED
 DEPT. 10
 IN OPEN COURT

12
 13 Presented by:
 14 ROBERT M. MCKENNA
 Attorney General

FEB 15 2008

Pierce County Clerk
 By [Signature]
 DEPUTY

15
 16 [Signature]
 17 PATRICIA C. FETTERLY WSBA#8425
 Assistant Attorney General
 Attorney for State Defendants

18
 19
 20 Approved on to [Signature]
 21 Form [Signature]
 22 Kenneth Skeslee # 4721

23
 24
 25
 26

ORDER GRANTING DEFENDANT
 STATE OF WASHINGTON'S MOTION
 FOR SUMMARY JUDGMENT

2

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